

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF MISSOURI
KANSAS CITY DIVISION**

IN RE:

Case Number: 18-43299-DRD13
Chapter: 13

William Leon Lockhart,
Jennifer Lynn Lockhart,
Debtor(s).

RESPONSE TO DEBTOR'S MOTION TO SELL DEBTORS' HOME (DOC# 145)

Wells Fargo Bank, N.A., ("Secured Creditor"), through the undersigned counsel, hereby files this response to Debtor's Motion to Sell Debtors' Home (the "Motion") in the above captioned matter. Wells Fargo Bank, N.A. ("Servicer") services the Debt Obligation secured by the property commonly described as **2531 South Ellison Way, Independence, Missouri 64055**. Secured Creditor is a party in interest as the holder of the secured claim that is the subject of this motion and responds as follows:

1. Secured Creditor objects to Debtor's Motion and demands payment in full of its mortgage lien(s) and does not consent to a sale which yields less than a full payoff as calculated by Secured Creditor.
2. Secured Creditor would be agreeable to sale of the Property so long as it generates sufficient proceeds which will result in payment in full of its mortgage lien(s) on the Property and contains conditional language which:
 - A. Makes any sale which would result in less than a full payoff of Secured Creditor's mortgage liens subject to Secured Creditor's prior consent and approval;
 - B. That sale of the Property must occur within 120 days of the entry of the order to sell;
 - C. That Debtor is required to make monthly adequate protection payments to Secured Creditor through and including closing on sale of the Property.

WHEREFORE, Secured Creditor prays that Debtor's Motion be denied, together with such

other relief as this Court deems just and proper.

Dated: May 1, 2023

Respectfully Submitted,

BONIAL & ASSOCIATES, P.C.

/s/ Wesley T. Kozeny

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Attorney for Wells Fargo Bank, N.A.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been filed May 1, 2023, and served upon all parties receiving notice electronically via the CM/ECF system, and the following parties in interest either via pre-paid regular U.S. Mail or via electronic notification on the May 1, 2023:

Debtor

VIA U.S. MAIL

William Leon Lockhart
2531 S Ellisonway
Independence, MO 64055

Jennifer Lynn Lockhart
2531 S Ellisonway
Independence, MO 64055

Debtor's Attorney

Ryan A. Blay
Wm Law
15095 W 116th St.
Olathe, KS 66049

Chapter 13 Trustee

Richard Fink
Suite 1200, 2345 Grand Blvd.
Kansas City, Missouri 64108-2663

US Trustee

Office of the U.S.Trustee
400 East 9th Street, Room 3440
Kansas City, Missouri 64106

Respectfully Submitted,

/s/ Wesley T. Kozeny

Wesley T. Kozeny